

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**LISA D. FLANAGAN-ZAIONTZ,**  
**Plaintiff**

**v.**

**BEXAR COUNTY; JACK FARMER**  
**INDIVIDUALLY AND BEXAR**  
**COUNTY SHERIFF'S DEPUTY, JACK**  
**FARMER,**  
**Defendants.**

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**CASE NO. 5:19-CV-1493**

**NOTICE OF REMOVAL UNDER 28 U.S.C. § 1331 (FEDERAL QUESTION  
JURISDICTION)**

COME NOW DEFENDANTS BEXAR COUNTY, JACK FARMER INDIVIDUALLY AND BEXAR COUNTY SHERIFF'S DEPUTY, JACK FARMER, and SHERIFF JAVIER SALAZAR and file this, their Notice of Removal pursuant to 28 U.S.C. § 1446(a), removing to this Court the state court action described below.

**INTRODUCTION**

1. On October 9, 2019, Plaintiff Lisa A. Flanagan-Zaiontz ("Plaintiff") filed an original petition in the District Court for the 150<sup>th</sup> Judicial District of Bexar County, State of Texas, which was assigned Cause Number 2019-CI-21287. In the original petition, Bexar County, Jack Farmer, and Sheriff Javier Salazar ("Defendants") are named as defendants.

2. Jack Farmer was served with process on December 3, 2019. Sheriff Salazar was served with process on the same day. Bexar County has not been served with process.

**BASIS FOR REMOVAL**

3. Removal is properly based on federal question jurisdiction pursuant to 28 U.S.C. §§ 1331, 1441(a) because Plaintiff claims that their federal rights were violated under

42 U.S.C. § 1983 by excessive force and failure to train, supervise and discipline.

4. Pursuant to 28 U.S.C. §1441 and 1446, Defendants remove this action to the United States District Court for the Western District of Texas, San Antonio Division, which is the judicial district and division in which the state court action is pending.

5. The documents contained in the Index comprise all of the filings to date in the lawsuit with Cause Number 2019-CI-21287, with one exception: Plaintiff's Statement of Inability to Pay and Supplement (identified in the Index as Documents Number 2 and Number 6) contain the Plaintiff's personal and financial information. The undersigned attorney will request leave of Court to file these exhibits under seal.

6. Defendants timely file this notice of removal within the 30-day period required by 28 U.S.C. § 1446(a).

7. All named Defendants consent to removal. All are represented by the undersigned attorney of record.

Respectfully submitted,

JOE D. GONZALES  
Bexar County Criminal District Attorney

BY: /s/ Robert W. Piatt III  
ROBERT W. PIATT III  
State Bar No. 24041692  
Assistant Criminal District Attorney  
Civil Division  
101 W. Nueva; 7th Floor  
San Antonio, Texas 78205  
Telephone (210) 335-0785  
Telecopier (210) 335-2773  
Attorney for Bexar County

**CERTIFICATE OF SERVICE**

I do hereby certify on the 30th day of December, 2019, I electronically filed the foregoing Notice of Removal with the Clerk of Court using the CM/ECF system, and that on the same day I served the Plaintiff by U.S. Mail to the following address:

Lisa D. Flanagan-Zaiontz  
12890 Adkins St. Hedwig Road  
St. Hedwig, Texas 78152

**/s/ Robert Piatt**  
**Robert W. Piatt III**